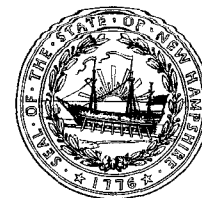




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

August 30, 2006

Dr. Arthur Hanson
Superintendent
SAU #16
24 Front Street
Exeter, New Hampshire 03833

CERTIFIED MAIL (7005 1160 0004 7467 7434)
RETURN-RECEIPT REQUESTED
LETTER OF DEFICIENCY
No. ARD 06-021
(Sta.S)

RE: Cooperative Middle School, Academic Way, Stratham, New Hampshire

Dear Dr. Hanson:

On June 29 and July 12, 2000, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") conducted a compliance inspection at the Cooperative Middle School ("Middle School") on Academic Way in Stratham, New Hampshire. The purpose of the inspection was to determine Middle School's compliance status with the N.H. Administrative Rules Env-A 100 *et seq.*, NH Rules Governing the Control of Air Pollution.

On June 28, 2006, DES forwarded a letter to Mr. Richard Wendell, Director of Operations at SAU #16, relative to the fuel burning devices at the Middle School. A copy of the letter and a copy of the signed certified mail postal receipt are enclosed. To date, DES has not received an application for a general state permit, emission reports or emission fees for calendar years 2003 through 2005 for the emergency generator.

On August 16, 2006, DES contacted the Middle School by telephone to verify the information regarding the fuel burning devices at the Middle School. Mr. Glen Pike verified the three existing boilers have a design rating of 3.35 million BTU's per hour of gross heat input, burning natural gas, which do not require permits to operate. The relevant rule for a fuel burning device using natural gas is Env-A 607.01(a). Mr. Pike also explained that the Middle School does operate an emergency generator at the Middle School.

As a result of the inspection, DES's letter of June 28, 2006, and confirmatory telephone calls, this Letter of Deficiency ("LOD") is being sent to identify the following deficiencies:

1. RSA 125-C:11 and Env-A 603.01, *Permit Required*, require the owner or operator of a source of air pollutants to obtain a temporary permit prior to the construction or installation of a source or device, and a State permit to operator prior to operating the source or device, if that source or device is listed in Env-A 607.01, *Specific Applicability for Temporary Permits*. Env-A 607.01(d) requires a permit for an engine that combusts liquid fuel and which has a design rating greater than or equal to 1.5 million BTUs per hour of gross heat input. At the time of the June 29, 2000 and July 12, 2000 inspections, the Middle School was operating a 205 kilowatt emergency generator using diesel fuel oil with a design rating of 2.2 million BTUs per hour. This emergency generator has not had a State Permit to Operate.
2. Env-A 907, *General Reporting Requirements*, requires the owner or operator of a source or device that requires a permit, to submit an annual emission report each year by April 15. The Middle School has not submitted annual emission reports for the emergency generator.
3. Env-A 705, *Emission-Based Fee*, requires the Middle School to submit annual emission-based fees as calculated pursuant to Env-A 705.03. The Middle School has not submitted emission-based fees for the emergency generator.

DES believes that the deficiencies can be resolved by the Middle School taking the following actions:

- i. By **September 29, 2006**, submit to DES an application for a temporary permit for the 2.2 million BTU per hour emergency generator. The necessary application forms are enclosed.
- ii. By **September 29, 2006**, submit to DES emission reports for calendar years 2003 through 2005.
- iii. By **September 29, 2006**, calculate emission fees owed for calendar years 2003 through 2005 and submit to DES a schedule for paying those fees. The fees for calendar years 2003 emissions is \$85.37 per ton, 2004 emissions is \$86.75 per ton, and the fee for calendar year 2005 emissions is \$88.61 per ton.


In the event compliance is not achieved within the time periods indicated, DES may initiate formal action against the Middle School, including issuing an order requiring the deficiency to be corrected, and/or referring this matter to the NH Department of Justice.

Please address all information to Barbara Hoffman, at the following address:

NHDES Air Resources Division
Enforcement Section
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

If you have questions regarding compliance with Env-A 100 *et seq.* or require further information, please contact Barbara Hoffman at (603) 271-7874, Air Resources Division, Compliance Bureau. In addition, please contact Sonny Strickland at (603) 271-6283, if you need assistance in preparing the emission reports and calculating the fees. If you require assistance with the permit application, please contact Todd Moore at (603) 271-6798. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the Public Information Center at (603) 271-2975.

Sincerely,



Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/asb

Enc.: GSP-1 Form, GSP-2 Form, Letter Dated June 28, 2006

cc: R. Kurowski, EPA Region 1
G. Hamel, DES Legal Unit Administrator
Selectmen, Town of Stratham
Thomas O'Malley, Principal, Cooperative Middle School
Richard Wendell, Director of Operations SAU #16
AFS #3301590785